

REMARKS

This communication is a supplemental amendment to the response filed on June 29, 2007 to the Office Action mailed on January 29, 2007. The Examiner has rejected claims 1, 6-16 and 19-22. With this supplemental amendment, Applicant has amended claim 1 to remove the language added by the earlier response which is believed to be not necessary for the reasons below, and all statements related to the deleted claim language are now hereby rescinded. The Application currently includes claims 1, 6-16 and 19-27.

The Office Action rejected claims 1, 7-11, 16 and 20-22 as being anticipated by the Hamstra U.S. Patent No. 6,442,988 ("Hamstra patent"). The Office Action alleges that the Hamstra patent discloses a metal cylinder workpiece 10 having various diameters 11, 20 wherein the workpiece 10 is clamped down by a clamping device 16 on the workpiece and a first tool 20 are rotated relative to each other. The Office Action alleges that the workpiece is deformed by the first tool while the workpiece is moved along its axis of rotation. The Office Action alleges that a second forming tool 20b is placed into contact with the lower piece at a position behind the first tool and references Figures 5a and 5b. The Office Action alleges that tools are forming rollers which are mounted on a common holder and radially adjustable. The Office Action concludes that a tensile stress is produced between the roller tools and a mandrel 22 having a cylindrical region and a tapered region.

Applicant respectfully disagrees that independent claim 1 is anticipated by the Hamstra patent. An element of independent claim 1 includes that the forming rollers associated with the first or second tools are mounted on a common holder.

There is no disclosure in the Hamstra patent of a method of utilizing two tools on a common holder. Rather, the Hamstra patent discloses that the forming discs are in tandem along the

axis for workpiece wall. (Col.6, lines 60-64).

Further, the device disclosed in the Hamstra patent is not capable of having the tools 20a and 20b mounted on a rotatable common holder. Once the common holder disclosed in the Hamstra patent were rotated one of the tools would lose contact with the work piece and not be utilized to form the product as claimed.

Therefore, the Hamstra patent does not teach or suggest the invention recited in independent claim 1. Reconsideration and allowance of claim 1 are respectfully requested

The Office Action also rejected dependent claims 7-11 as being anticipated by the Hamstra patent. While Applicant does not acquiesce to the rejection of dependent claims 7-11, Applicant submits that the rejections are moot in light of the fact that independent claim 1 is in allowable form. Reconsideration and allowance of claims 7-11 are respectfully requested.

The Office Action also rejected independent claim 1 and dependent claims 13-15 under 35 USC § 102(e) as being anticipated by the Tittman U.S. Patent No. 6,494,072. The Office Action alleges that the Tittman patent discloses a clamping device 22, 24 for rotating a blank 10. The rolling tool 30 is located behind a rolling tool 26 and is pivoted relative to an axis of rotation of the blank. Each of the rolling tools 30 and 26 is radially adjustable and the blank is manufactured into a product having various diameters.

Applicant respectfully disagrees that independent claim 1 is anticipated by the Tittman patent. An element of independent claim 1 includes that the first and second tools are mounted on a common holder. There is no disclosure in the Tittman patent utilizing first and second tools mounted on a common holder. The Tittman Patent discloses that each tool is mounted on an individual holder located on opposite sides of the axis of rotation. Therefore the Tittman Patent does not disclose

mounting the first and second tools on a common holder as claimed.

For the foregoing reasons, the Tittman patent does not teach or suggest the invention recited by independent claim 1. Reconsideration and allowance of independent claim 1 are respectfully requested.

The Office Action also rejected dependent claims 13-15 as being anticipated by the Tittman patent for the reasons stated with respect to independent claim 1. While Applicants do not aqueous to the rejections of dependent claims 13-15, Applicants submit that the rejections are moot in light of the fact that independent claim 1 is in allowable form. Reconsideration and allowance of dependent claims 13-15 are respectfully requested.

The Office Action also rejected claim 6 under 35 USC § 103(a) as being unpatentable over the Hamstra patent in view of Zohler U.S. Patent 4,765,058. The combination of the Hamstra patent with the Zohler patent does not overcome the deficiencies provided with respect to independent claim 1. Therefore, claim 6 is in allowable form. Reconsideration and allowance of claim 6 is respectfully requested.

The Office Action also rejected dependent claim 12 under 35 U.S.C. § 103(a) as being obvious over the Hamstra patent in view of Jenness U.S. Patent No. 6,212,926. Applicant respectfully submits that the Jenness patent does not overcome the deficiencies of the Hamstra patent with respect to independent claim 1. Therefore, dependent claim 12 is not made obvious by the combination of the Hamstra patent in view of the Jenness patent. Reconsideration and allowance of claim 12 is respectfully requested.

The foregoing remarks are intended to assist the Office in examining the application and in the course of explanation may employ shortened or more specific or variant descriptions of some of the claim language. Such descriptions are not intended to

limit the scope of the claims; the actual claim language should be considered in each case. Furthermore, the remarks are not to be considered exhaustive of the facets of the invention which are rendered patentable, being only examples of certain advantageous features and differences, which applicant's attorney chooses to mention at this time. For the foregoing reasons, applicant reserves the right to submit additional evidence showing the distinction between applicant's invention to be unobvious in view of the prior art.

Furthermore, in commenting on the references and in order to facilitate a better understanding of the differences that are expressed in the claims, certain details of distinction between the same and the present invention have been mentioned, even though such differences do not appear in all of the claims. It is not intended by mentioning any such unclaimed distinctions to create any implied limitations in the claims.

For the foregoing reasons, Applicant submits that the present application is in allowable form. Allowance of the present application is respectfully requested.

An extension of time is hereby requested for responding to the Office Action. An online charge authorization for the extension of time fee is included herewith.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: 

Steven M. Koehler, Reg. No. 36,188
900 Second Avenue South, Suite 1400
Minneapolis, Minnesota 55402
Phone: (612) 334-3222 Fax: (612) 334-3312